

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MONICA MORRISON,)	CASE NO: 1:18 –cv-06127 (CBA)(RML)
)	
Plaintiff,)	
)	
v.)	COMPLAINT
)	FOR A
ROBERT LANGRICK,)	DECLARATORY
)	JUDGMENT
Defendant.)	
)	

INITIAL DISCLOSURES OF PLAINTIFF MONICA MORRISON

Below are Plaintiff Monica Morrison’s initial disclosures pursuant to rule 26(a)(1), Fed. R. Civ. P. Necessarily, Plaintiff’s disclosures are based on information reasonably available to her at this time. Also, for the current purposes, pursuant to this Court’s January 16, 2019 Order, and by agreement between the parties at their Rule 26 (e) Conference, these disclosures will relate solely to Plaintiff’s “case in chief.” Plaintiff hereby reserves the right to supplement and/or amend her disclosures, as appropriate, depending on future developments in this action.

INITIAL DISCLOSURES

Subject to the Objections and Qualifications set forth hereinbelow, Plaintiff makes the following initial disclosures.

1. *The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing parties may use to support their claims or defenses.*

Plaintiff reserves the right to call any witnesses and use any documents identified by Defendant in his initial disclosures. In addition to those witnesses identified by Defendant, Plaintiff identifies the additional persons set forth below, known to Plaintiff at this time, who are likely to have discoverable information regarding Plaintiff's case in chief.

1. *Peter Travis*, Emeritus Professor of English Dartmouth College, Hanover, NH

Prof. Travis became Plaintiff's "accountability partner," during the fall semester of her junior year at Dartmouth. A central subject of Plaintiff's daily communications with the professor was her traumatization at the hands of Defendant.

2. *George Wukoson*, Dartmouth '05 Senior Corporate Counsel, Ziff Davis, NYC

Mr. Wukoson was a close friend and Bones Gate fraternity brother at Dartmouth. Plaintiff's post-assault communications with Wukoson frequently focused on Plaintiff's traumatization at the hands of Defendant.

3. *Matthew Cohn*, Dartmouth '08 Actor, Northeast venues, including The Northern Stage, Tel: [REDACTED]

Plaintiff dated Mr. Cohn, beginning shortly after the incident. Cohn can testify as to Plaintiff's contemporaneous traumatization and severe depression resulting from Defendant's sexual assault.

4. *Therapist*, Norwich, Vermont Name/contact information presently unknown

Plaintiff saw this therapist on a few occasions shortly after Defendant's sexual assault. If she can be found she could, with Plaintiff's permission, testify to the traumatization and related physical and psychological impacts resulting from Defendant's sexual assault.

5. *Paul Heinz*, Dartmouth '06 Mr. Heinz is working as a journalist/political editor in Vermont for Seven Days Vermont: <https://twitter.com/paulheintz?lang=en>

Mr. Heinz was dating a friend and housemate of Plaintiff's (Anna Zielinski '06). Heinz can testify to an incident, less than a year after the incident, involving public urination, which triggered an extreme emotional and physical reaction by Plaintiff, resulting from Defendant's sexual assault.

6. *Anna Zelinsky* '06.

[REDACTED]
Brooklyn NY 11222
[REDACTED]@gmail.com
[REDACTED]

Ms. Zelinsky is currently working as an educator in Harlem and is an expert in the realm of sexual education and consent education. Was a witness to events immediate subsequent the incident with Mr. Heinz and has been a friend and confidant over the years. She can testify to the long-term psychological impact over many years of Defendant's sexual assault.

7. *Lisa Thum*, Dartmouth

Currently Assistant Dean of the College
[REDACTED]
Hanover NH 03755
[REDACTED]@Dartmouth.EDU
[REDACTED]

Thum was Plaintiff's underclass Dean at the time of the assault and she became contemporaneously aware of the incident and of its immediate severe impact on Plaintiff, personally and academically.

8. *Jacqueline Rizk* Lebanon,
<https://www.elegantalchemy.com/home/>, terrestrial address currently unknown

Ms. Rizk, currently practicing as a “life coach,” claims to have certain direct, personal information tending to corroborate Defendant’s questionable attitude towards women in the years since the original incident. In addition, although at the present time admittedly hearsay, Ms. Rizk has said that one or two of her clients (not further identified) claim to have direct knowledge of other incidents involving Defendant’s assaultive behavior.

2. A description by category and location of all documents, electronically stored information, and tangible things that Plaintiff has in her possession, custody, or control and may use to support her claims.

By providing the following description of documents pursuant to Rule 26(a)(1)(A)(ii), Plaintiff does not waive her right to withhold production of any document in her possession that is protected by attorney-client privilege, the work-product privilege, or any other claim of privilege or immunity, or which Plaintiff is prohibited from producing due to confidentiality restrictions, or where production of such a document would be otherwise unlawful.

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|--|---|
| 1. Hanover Police Department Report | Already attached to the Declaratory Judgment Complaint as Exhibit 1 |
| 2. Defendant’s Proposed NDA | Already attached to the Declaratory Judgment Complaint as Exhibit 2 |
| 3. Certain pre-litigation emails between counsel | Already attached to the Declaratory Judgment Complaint as Exhibit 3 |

3. A computation of each category of damages and the documents on which each computation is based, including the materials bearing on the nature and extent of injuries suffered.

Plaintiff is still in the process of gathering information relevant to her damage claims. Categories of damages will include: unreimbursed medical and psychiatric expenses, outpatient and in-patient; loss of professional opportunities; loss of income; costs associated with prolonged matriculation at Dartmouth College and related student loans; pain-and-suffering, etc.

4. Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Liberty Mutual Personal Liability Protection
Named Insured Policy Number:
Monica C Morrison
Cherie Morrison
[REDACTED]

04/14/2018-04/14/2019 12:01AM

We are pleased to offer you a Personal Liability Protection policy through your affiliation with UMASS Dartmouth Alumni Association.

A copy of the foregoing policy will be separately produced, as appropriate.

Objections and Qualifications

By making these disclosures, Plaintiff does not represent that she is identifying every document, tangible thing, or witness possibly relevant to the issues that may eventually be raised in this lawsuit.

Pursuant to Rule 26(a)(1) and all other applicable rules, Plaintiff is not disclosing documents or information protected by the attorney-client privilege or work-product immunity.

Plaintiff's disclosures are made without waiving: (1) the right to object on the grounds of competency, privilege, relevancy, materiality, hearsay, or any other ground; (2) the right to object to the use of any such information, for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action; and (3) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

Respectfully submitted,

/s/
Henry R. Kaufman (HK-7283)
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New York, New York 10168
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Initial Disclosures in the above-captioned matter was served on the below counsel of record on February 6, 2019, in accordance with the Rules of Civil Procedure:

Andrew C. Phillips, Esq.
CLARE LOCKE LLP
10 Prince Street
Alexandria, VA 22314
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Attorney for Defendant

Dated: February 6, 2019

By: /s/ Henry R. Kaufman

Attorney for Plaintiff